

DEPARTMENT OF MARINE RESOURCES

CHAPTER 26 - SEA URCHIN

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DEPARTMENT OF MARINE RESOURCES

Chapter 26 - Sea Urchin Regulations

26.01 Nighttime Harvesting Prohibition

It shall be unlawful to fish for or take sea urchins during the nighttime hours between sunset (as defined in 12 M.R.S. §6001(46)) and sunrise (as defined in 12 M.R.S. §6001(45)) within Maine's coastal waters.

26.02 Sea Urchin Minimum Size and Tolerance

1. Prohibition

It is unlawful for any person to take, possess, ship, transfer, transport, buy, or sell a sea urchin having a shell measuring less than  $2\frac{1}{16}$  inches in the longest diameter, measuring from the top or bottom of the urchin, exclusive of spines.

2. Exceptions to 26.02(1) Prohibition

A. Possession Tolerance for All Persons

Any person may possess sea urchins measuring less than  $2\frac{1}{16}$  inches if they comprise less than 5% of any bulk pile.

B. Take Tolerance for Harvesters

(1) Zone 1 & 2 Divers

Zone 1 & 2 divers may take sea urchins that are less than  $2\frac{1}{16}$  inches if they comprise less than 20% of any bulk pile prior to culling on board.

(2) Take Tolerance for All Other Harvesters

All licensed sea urchin harvesters except Zone 1 & 2 divers may take sea urchins that are less than  $2\frac{1}{16}$  inches prior to culling on board.

C. Sea Urchins Obtained Outside the State of Maine

Any person exceeding the possession tolerance of this regulation for sea urchins measuring less than  $2\frac{1}{16}$  inches shall not be in violation of Chapter 26.02 if that person is in possession of a bill of lading for the amount of the sea urchins exceeding the tolerance amount showing those sea urchins were lawfully obtained from an origin outside the State of Maine. The absence of a bill of lading shall be prima facie evidence that the sea urchins were taken from waters within the jurisdiction of the State of Maine.

3. Tolerance

Tolerance shall be determined by numerical count of not less than  $\frac{1}{2}$  bushel taken at random from various parts of the bulk pile or by count of the entire bulk pile if it contains less than  $\frac{1}{2}$  bushel.

If any person is found in possession of sea urchins measuring less than  $2\frac{1}{16}$  inches that comprise more than 5% of the bulk pile pursuant to 26.02(2)(A) or 20% pursuant to 26.02(2)(B)(1), that bulk pile shall be considered contraband and subject to seizure.

4. Culling Requirement

Sea urchins measuring less than  $2\frac{1}{16}$  inches must be culled on board immediately after take, and liberated alive into the marine waters.

26.03 Sea Urchin Maximum Size and Tolerance

1. Prohibition

It is unlawful for any person to take, possess, ship, transfer, transport, buy, or sell a sea urchin having a shell measuring more than 3 inches in the longest diameter, measuring from the top or bottom of the urchin, exclusive of spines.

2. Exceptions to 26.03(1) Prohibition

A. Possession Tolerance for All Persons

Any person may possess sea urchins measuring more than 3 inches if they comprise less than 5% of any bulk pile.

B. Take Tolerance for Harvesters

(1) Zone 1 & 2 Divers

Zone 1 & 2 divers may take sea urchins that are more than 3 inches if they comprise less than 20% of any bulk pile prior to culling on board.

(2) Take Tolerance for All Other Harvesters

All licensed sea urchin harvesters except Zone 1 & 2 divers may take sea urchins that are more than 3 inches prior to culling on board.

C. Sea Urchins Obtained Outside the State of Maine

Any person exceeding the possession tolerance of this regulation for sea urchins measuring more than 3 inches shall not be in violation of Chapter 26.03 if that person is in possession of a bill of lading for the amount of the sea urchins exceeding the tolerance amount showing those sea urchins were lawfully obtained from an origin outside the State of Maine. The absence of a bill of lading shall be prima facie evidence that the sea urchins were taken from waters within the jurisdiction of the State of Maine.

3. Tolerance

Tolerance shall be determined by numerical count of not less than  $\frac{1}{2}$  bushel taken at random from various parts of the bulk pile or by count of the entire bulk pile if it contains less than  $\frac{1}{2}$  bushel.

If any person is found in possession of sea urchins measuring more than 3 inches that comprise more than 5% of the bulk pile pursuant to 26.03(2)(A) or 20% pursuant to 26.03(2)(B)(1), that bulk pile shall be considered contraband and subject to seizure.

4. Culling Requirement

Sea urchins measuring more than 3 inches must be culled on board immediately after take, and liberated alive into the marine waters.

26.05 Sea Urchin Drag Regulation

- A. It shall be unlawful to fish for, possess or take sea urchins with a drag, or combination of drags, in excess of 5 feet six inches effective fishing width (by measuring from the extreme outside of the mouth of the drag or drags), within Maine's coastal waters.

B. Escape Panel - Zone 2

It shall be unlawful to fish for, possess, or take sea urchins in Zone 2 with a drag that does not have an escape panel.

1. Configuration of Escape Panel

- (a) The panel shall consist of a single layer of netting in the top of the drag above the chains.
- (b) There can be no liner or other material or device obstructing any part of the panel.
- (c) The panel must be at least 2 feet deep (from front to back of the drag) and extend across the full width of the drag.
- (d) The mesh of the netting must be hung "square", not "diamond", that is, the twines of the mesh going one way must run parallel to the front (mouth) of the drag and the twines of the mesh going the other way must run perpendicular to the front (mouth) of the drag, not diagonally.
- (e) The meshes must measure at least 2 inches from the middle of one knot to the middle of the next adjacent knot.

2. Method of mesh measurement

Mesh size shall be measured by lining up 5 consecutive knots perpendicular to the front of the drag or parallel to the front of the drag and measuring the distance from the middle of one knot to the middle of the next knot with a ruler or tape measure. The mesh measurement shall be the average of the 5 consecutive measures. These measurements must be made at least 2 meshes away from the edges of the panel.

3. Exception

It shall be lawful to fish for, take, or possess sea urchins with a drag that qualifies as a scallop drag under Chapter 11.07 if the drag meets the requirements of Chapter 26.05(A).

26.06 Sea Urchin Catch Bag Mesh Regulation for Zone 2

1. Catch Bag Mesh Size for Zone 2

It shall be unlawful for a sea urchin diver or raker to fish for or take sea urchins in Zone 2 using a bag having a mesh opening of less than 2 ¼ inches between knots. It shall also be unlawful to possess a bag having a mesh opening of less than 2 ¼ inches between knots on board any vessel which is fishing for or taking sea urchins in Zone 2, or which is engaged in the transfer or transport of sea urchins taken by Zone 2 divers or rakers.

2. Mesh Measurement

Mesh sizes are to be measured by a flat wedged-shaped gauge having a taper of 4 cm. in 20 cm. and having a thickness of 2.3 mm., inserted into the meshes under a pressure or pull of 1.90 kg. The mesh size of a net shall be the average of the measurements at least 10 meshes, each at least 1 mesh away from any seam or lacing.

26.07 Sea Urchin Harvesting Season 2012-2013 pursuant to 12 M.R.S. §6749

1. Zone 1 [as defined by 12 M.R.S. §6749-N(1)]

A. Early season for divers, trappers and rakers

The Zone 1 season for divers, trappers and rakers who have certified the early season on forms provided by the Commissioner, is open September 10 to 14, 17 to 21, and 24 to 28, 2012 inclusive.

B. Late season for divers, trappers and rakers

The Zone 1 season for divers, trappers and rakers who have certified the late season on forms provided by the Commissioner, is open December 3 to 5, 10 to 13, 17 to 20, inclusive, plus 23, 27, 28 and 31, 2012.

C. Early season for draggers [in accordance with 12 M.R.S. §6749-V]

The Zone 1 season for draggers who have certified the early season on forms provided by the Commissioner, is open December 6 to 8, 13 to 15, 20 to 22 and 27 to 29, 2012 inclusive; plus January 3 to 5, 2013 inclusive.

D. Late season for draggers [in accordance with 12 M.R.S. §6749-V]

The Zone 1 season for draggers who have certified the late season on forms provided by the Commissioner, is open December 20 to 22 and 27 to 29, 2012 and January 3 to 5, 10 to 12 and 17 to 19, 2013 inclusive.

E. Designation of Zone 1 early or late season:

- (1) A person who holds a sea urchin harvesting license for Zone 1 may not harvest sea urchins in Zone 1 unless that person certifies on forms provided by the Commissioner that the person will fish for or take sea urchins during either the early season or the late season.
- (2) Divers, trappers and rakers who have certified the early or late season may, between May 1<sup>st</sup> and September 1<sup>st</sup> change that certification to the other time period as the time period in which that person will fish for or take sea urchins.
- (3) Draggers who have certified the early or late season may, between May 1<sup>st</sup> and November 15<sup>th</sup> change that certification to the other time period as the time period in which that person will fish for or take sea urchins.

2. Zone 2 [as defined by 12 M.R.S. §6749-N(2)]

36 day season that includes the requirement for divers to cull on bottom

A. Early season for divers, trappers and rakers

The Zone 2 season for divers, trappers and rakers who have certified the early season on forms provided by the Commissioner, is open Mondays, Tuesdays and Wednesdays in the month of October; Mondays and Tuesdays in the month of November plus Wednesdays November 21 and 28; and Mondays, Tuesdays and Wednesdays in the month of December except Mondays December 24 and 31 and Tuesday December 25; plus Thursday, December 20, 2012.

B. Early season for draggers

The Zone 2 season for draggers who have certified the early season on forms provided by the Commissioner, is open Mondays, Tuesdays and Wednesdays in the month of

October, except Wednesdays October 10 and 24; Mondays and Tuesdays in the month of November; and Mondays, Tuesdays, and Wednesdays in the month of December 2012 except Wednesday December 5, Monday December 24, Tuesday December 25, and Monday December 31; plus Thursdays, December 20 and 27, 2012; and January 2, 3, 7, and 8, 2013.

C. Late season for divers, trappers and rakers

The Zone 2 season for divers, trappers and rakers who have certified the late season on forms provided by the Commissioner, is open Mondays, Tuesdays and Wednesdays in the month of December except Monday December 24 and Tuesday December 25; plus Thursdays, December 20 and 27, 2012; Mondays and Tuesdays in the month of January 2013, except Tuesday January 1; plus Wednesdays January 2 and 9, 2013; Mondays and Tuesdays in the month of February 2013; Mondays and Tuesdays in the month of March except Monday March 25 and Tuesdays March 19 and 26, 2013.

D. Late season for draggers

The Zone 2 season for draggers who have certified the late season on forms provided by the Commissioner, is open Mondays, Tuesdays and Wednesdays in the month of December except Wednesday December 5, Mondays December 24 and 31 and Tuesday December 25; plus Thursdays, December 20 and 27, 2012; Mondays and Tuesdays in the month of January 2013 except Tuesday January 1; plus Wednesday January 2 and Thursday January 3, 2013; Mondays and Tuesdays in the month of February except Monday February 18 and Tuesday February 19, 2013; plus Wednesday February 13, 2013; Mondays and Tuesdays in the month of March except Monday March 25 and Tuesday March 26; plus Wednesdays March 13 and 20, 2013.

E. Designation of Zone 2 early or late season:

- (1) A person who holds a sea urchin harvesting license for Zone 2 may not harvest sea urchins in Zone 2 unless that person certifies on forms provided by the Commissioner that the person will fish for or take sea urchins during either the early season or the late season.

A person who has certified the early or late season may, between May 1<sup>st</sup> and August 15<sup>th</sup> change that certification to the other time period as the time period in which that person will fish for or take sea urchins.

26.10 Log Book: See Chapter 8.10(C) Landings Program

26.12 Tagging: Each tote of sea urchins transported or shipped whole must be accompanied by a tag with date of purchase and harvester license number affixed by a license dealer.

26.15 Sea Urchin Harvester License Limited Entry System

Beginning August 1, 2004, no new sea urchin harvesting licenses will be issued, and no lotteries will be held.

26.19 Whiting Bay and Denny's Bay Area:

It shall be unlawful to fish for or take urchins west of a line starting at the western end of Mahar Point, Pembroke, due south to the nearest point of land on Crow Neck, Trescott, to include all of Whiting Bay and Denny's Bay except by divers and rakers on December 3, 10, 17 and 26 and by draggers on December 4, 11, 18 and 27.

26.20 Sea Urchin Research Conservation Areas

Pemaquid Point - Town of Bristol (previously section 4)

The following conservation area off Pemaquid Point in the Town of Bristol, Maine, shall be closed to the harvest and possession of sea urchins within the described area: starting at a buoy marking the southernmost corner of the conservation area located at 43°49.92' N latitude, 69°31.08' W longitude, proceeding 300 meters (328 yards), more or less, in a northwesterly direction to a buoy marking the westernmost corner of the conservation area located at 43°50.07' N latitude, 69°31.22' W longitude, thence heading 300 meters (328 yards), more or less, northeasterly (at 72° from magnetic north) to a 1 foot piece of rebar epoxied into the ledge (near the high water mark) at the northernmost corner of the conservation area, thence heading in a southeasterly direction for 300 meters (328 yards), more or less, to a 1 foot length of rebar epoxied into the ledge (near the high water mark) at the easternmost corner of the conservation area, thence southwesterly for 300 meters (328 yards), more or less, at 288° from magnetic north, to the point of origin at the buoy marking the southernmost corner of the conservation area. In addition to the corner buoys, at least one additional buoy will be placed along each of the three seaward boundaries.

#### 26.30 Sea Urchin Zone Council Elections

##### 1. Elections and Term

The Sea Urchin Zone Council shall hold its first election for those members specified in 12 M.R.S. §6749-X, sub-§1 by March 2008, and a biennial election thereafter beginning in December 2010, to re-elect or replace the elected members whose terms are expiring. Council members shall have terms of two years.

##### 2. Election of Council Members

Election of council members shall be by a plurality vote of eligible voters participating in the election.

##### 3. Eligibility of Council Members

To be eligible for election as a council member an individual must hold a valid license of a type specified in 12 M.R.S. §6749-X, sub-§1 and be at least 18 years of age. An individual who has been convicted of a marine resources law violation within the previous 6 years is not eligible for election as a council member unless a waiver from this requirement has been granted by the commissioner for good cause as determined by the commissioner in his or her discretion.

##### 4. Eligibility to vote

An individual who holds a valid license of a type specified in 12 M.R.S. §6749-X, sub-§1 and is at least 18 years of age shall be eligible to vote to fill vacant council positions representing the same type of license held by the voter. If the license type is specific to Zone 1 or Zone 2, as defined under 12 M.R.S. §6749-N, then the individual shall only be eligible to participate in the election if the individual holds the eligible license in the same zone.

##### 5. Election process

Each individual shall have one vote in the election for each seat for which they are eligible to vote. The vote shall be by secret mailed ballot and the ballots shall be collected by the Department of Marine Resources. The ballots shall be tallied, and the results shall be made known to the Commissioner, members of the Sea Urchin Zone Council and the public.

##### 6. Vacancies

Any vacancy occurring in the membership of the Sea Urchin Zone Council including one created by reason of resignation, ineligibility, or death shall be filled by the candidate from the most recent election who received the second greatest number of votes. If no such candidate is available or is willing to serve as representative, then a special election will be held. Council members elected to fill a vacancy shall serve for the remainder of the vacated member's term.

7. Removal of Council Members

A council member whose urchin license is suspended or revoked, or who fails to renew the license, shall automatically be removed from the Sea Urchin Zone Council. A Council member who misses three consecutive meetings without notifying an officer or other Council member of the intended absence from a meeting may be removed from the Council by affirmative vote of the Council.



# 2012 - 2013 Sea Urchin Season for Maine

## Zone 1: 15 Days

 = Open       = Closed

### Early Season for Divers, Rakers and Trappers

September 2012						
S	M	Tu	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

15

### Late Season for Divers, Rakers and Trappers

December 2012						
S	M	Tu	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

15

### Early Season for Draggers

December 2012						
S	M	Tu	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

12

January 2013						
S	M	Tu	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

3

### Late Season for Draggers

December 2012						
S	M	Tu	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

6

January 2013						
S	M	Tu	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

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# 2012 - 2013 Sea Urchin Season for Maine

## Zone 2 Option B: 36 Days

 = Open       = Closed

### Early Season for Divers, Rackers and Trappers

September 2012						
S	M	Tu	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

0

October 2012						
S	M	Tu	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

15

November 2012						
S	M	Tu	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

10

December 2012						
S	M	Tu	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

11

### Early Season for Draggers

October 2012						
S	M	Tu	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

13

November 2012						
S	M	Tu	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

8

December 2012						
S	M	Tu	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

11

January 2013						
S	M	Tu	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

4

### Late Season for Divers, Rackers and Trappers

December 2012						
S	M	Tu	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

13

January 2013						
S	M	Tu	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

10

February 2013						
S	M	Tu	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

8

March 2013						
S	M	Tu	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

5

### Late Season for Draggers

December 2012						
S	M	Tu	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

11

January 2013						
S	M	Tu	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

10

February 2013						
S	M	Tu	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

7

March 2013						
S	M	Tu	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

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## 2012 - 2013 Sea Urchin Season for Maine Zone 2 - Whiting Bay and Denny's Bay Area

 = Open Divers     
  = Open Draggers     
  = Closed

Early Season for Divers, Rakers and Trappers

December 2012						
S	M	Tu	W	Th	F	S
						1
2	3 O	4 O	5	6	7	8
9	10 O	11 O	12	13	14	15
16	17 O	18 O	19	20	21	22
23	24	25	26 O	27 O	28	29
30	31					

DEPARTMENT OF MARINE RESOURCES

CHAPTER 26 - SEA URCHIN

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EFFECTIVE DATE:

December 22, 1993 (EMERGENCY)  
May 30, 1994

AMENDED:

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July 27, 1996 – Section 10  
July 31, 1996 – Section 07  
August 14, 1996 – Section 10  
July 22, 1997 – Section 07  
August 25, 1998 – Section 07, calendars  
December 12, 1998 – Section 20 added  
January 31, 1999 – Section 15 added  
May 18, 1999 – Section 20  
August 28, 1999 – Section 07, calendars  
August 21, 2000 – Sections 02, 03, 07, calendars  
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